

October 23, 2014

Dear Representative,

We are writing to you to let you know our deep disappointment in your vote approving H.R. 4, the inaccurately named, “Jobs for America” bill.

This disingenuously-named package of bills would not create one new job, or open one new factory. Rather, it includes several legislative proposals that would jeopardize public health and safety, financial protections, and the environment.

We recognize that the package included a few harmless or potentially positive legislative proposals intended to obscure the damaging impacts of the many pieces of legislation designed to undermine our nation’s public protections. Nevertheless, given the extremely harmful impacts of the entire package, we were very surprised and concerned that you would vote in support of this destructive legislative proposal.

We strongly oppose the following bills in H.R. 4:

- The **Achieving Less Excess in Regulation and Requiring Transparency (ALERRT) Act (H.R. 2804)** combines into a single package four severely defective bills—the Regulatory Accountability Act (RAA), the Regulatory Flexibility Improvements Act (RFIA), the All Economic Regulations are Transparent (ALERT) Act, and the Sunshine for Regulatory Decrees and Settlements Act. Despite repeated introductions, these harmful bills have failed to pass both chambers of Congress due to the severe damage they would cause to our health, safety, environmental, and financial protections.
- The **Regulatory Accountability Act (RAA) (H.R. 2122)** would add over 60 new procedural and analytical hurdles to a rulemaking process that is already riddled with delay. Before an agency could propose a rule, it would be required to conduct an exhaustive analysis of all direct *and* indirect costs and benefits, not only of the proposal under consideration but also of any potential alternatives. The bill would ensure a “race to the bottom” by requiring agencies choose the “least costly” option, regardless of the rule’s benefits to society. Requiring agencies to perform exhaustive and unnecessary analyses and develop uncertain estimates of indirect costs and benefits would waste precious resources and delay new rules from moving forward. In the meantime, the public and environment will remain vulnerable to unnecessary harm.
- The **Regulatory Flexibility Improvements Act (RFIA) (H.R. 2542)** would require *all* agencies to host small business review panels for practically every rule that may affect small entities. This review panel requirement is currently only imposed on three agencies—the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the Consumer Financial Protection Bureau (CFPB). Expanding the review requirement to all agencies would undermine their ability to implement important healthy, safety, environmental, and financial protections by wasting agency resources and diverting staff time away from more

critical priorities. The RFA would also expand the oversight authority of the Small Business Administration's Office of Advocacy—an office already under scrutiny for working at the behest of big businesses to undermine public protections.

- **The All Economic Regulations are Transparent (ALERT) Act (H.R. 2804)** would impose a moratorium on all new rules for at least six months, but possibly much longer. The bill would delay new rules from taking effect until information supplied by agencies is posted online by the White House Office of Information and Regulatory Affairs (OIRA) for at least six months. Delaying critical safeguards denies the public essential protections like clean air and water, safe food, and a stable financial system.
- **The Sunshine for Regulatory Decrees and Settlements Act (H.R. 1493)** would diminish citizens' ability to challenge agencies for unreasonable delay on implementing laws passed by Congress. The bill would impose needless procedural hurdles on agencies and would delay settlement agreements, wasting agency resources and making it prohibitively costly and time-intensive for citizens and public interest groups to challenge agency inaction, effectively stripping the public's power to hold agencies accountable for failing to comply with the law.
- **The Regulations from the Executive in Need of Scrutiny (REINS) Act (H.R. 367)** would require both houses of Congress to approve all major rules within 70 legislative days and to table any rule that does not gain approval in this timeframe. In effect, this bill would delay, potentially indefinitely, major new rules from going forward, regardless of how critical a rule is to safeguarding our health, safety, environment, or financial system. Moreover, this bill would allow members of Congress to overrule the expert opinions of agency officials and scientists who Congress has tasked with developing these safeguards. This bill would not create jobs but would simply allow members of Congress to undermine health, safety, environmental and financial protection laws that the public and many businesses strongly support.
- **The Unfunded Mandates Information and Transparency Act (H.R. 899)** would grant businesses a right to information about a rule and an opportunity to submit feedback to the agency before a rule is even proposed, but the bill would not require this information be shared with the public at the same time. The bill would also require agencies to perform retrospective analyses at the request of any chairman or ranking minority member of any standing or select committee of the House or Senate. Such requests could potentially require agencies to perform a long list of retrospective reviews, diverting agency staff and resources from working on more critical national priorities and politicizing the rulemaking process.
- **The Small Business Capital Access and Job Preservation Act (H.R. 1105).** Contrary to its title, this bill is not designed to benefit small business. Instead, it would exempt private equity fund advisers – who include some of the wealthiest and most significant entities on Wall Street –

from basic reporting requirements designed to help regulators monitor systemic risk in the financial system and protect investors and the public. The bill ignores one of the critical lessons from the 2008 financial crisis that unmonitored markets can quickly turn into unstable markets.

- The **Restoring Healthy Forests for Healthy Communities Act (H.R. 1526)** would run roughshod over existing forest regulations and planning and would result in a massive increase in logging on national forests across the country undermining climate resilience, clean drinking water and air quality as well as wildlife and recreation uses of these important public lands. The bill includes attacks on core environmental laws including the Clean Water Act, the Endangered Species Act, and National Environmental Policy Act and undermines the public's access to the courts.

We would be happy to discuss our concerns in more detail, and hope that we can work with your office in the future on the shared goal of protecting American families and the environment.

Sincerely,

American Federation of Government Employees  
American Federation of State, County, and Municipal Employees  
Americans for Financial Reform  
Center for Effective Government  
Center for Science and Democracy at the Union of Concerned Scientists  
Earthjustice  
National Consumers League  
Protect All Children's Environment  
Public Citizen  
United Steelworkers